



Atty. Docket No. 06756.004

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : SCOTT MCINTOSH
Serial No. : 10/776,838
Filing Date : February 11, 2004
For : **HAND-HELD BAND SAW**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)

Pursuant to 37 CFR §§1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed within three months of the application filing date and prior to issuance of the first Office Action on the merits.

In accordance with the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003, Applicant has not enclosed copies of the U.S. references listed on the attached Form PTO 1449. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached forms.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

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Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Respectfully submitted,

SCOTT MCINTOSH

By: MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.

April 16, 2004
Date

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the attached Information Disclosure Statement Under 37 CFR § 1.97(b) and related papers are being deposited with the United States Postal Service using Express Mail Service, Express Mail Label No. EV 436 430 351 US in an Express Mail envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on April 19, 2004.



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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/776,838
Filing Date	02/11/2004
First Named Inventor	Scott McIntosh
Art Unit	
Examiner Name	
Attorney Docket Number	06756.004

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,525,511 B2	02/25/2003	Kubale et al.	
		US- 6,523,447 B2	02/25/2003	Judge	
		US- 6,442,848 B1	09/03/2002	Dean	
		US- 6,401,346 B1	06/11/2002	Roberts	
		US- Des. 400, 216	10/27/1998	Lin	
		US- 5,802,939	09/08/1998	Wiand et al.	
		US- 5,509,206	04/23/1996	Rowe et al.	
		US- 5,251,525	10/12/1993	Galloway	
		US- 5,220,729	06/22/1993	Gallant	
		US- Des. 316,507	04/30/1991	Fushiya et al.	
		US- Des. 306,126	02/20/1990	Arehart et al.	
		US- 4,841,639	06/27/1989	Graney	
		US- 4,674,374	06/23/1987	Sadahiro et al.	
		US- 4,463,638	08/07/1984	Fortin	
		US- 4,413,414	11/08/1983	Strzalka	
		US- Des. 248,085	06/06/1978	Stelljes et al.	
		US- 4,001,937	01/11/1977	Stelljes et al.	
		US- 3,668,961	06/13/1972	Blue	
		US- 3,658,102	04/25/1972	Joosten	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket Number	06756.004

Sheet	2	of	3
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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Application Number 10/776,838

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First Named Inventor Scott McIntosh

Art Unit

Examiner Name

Attorney Docket Number 06756.004

Sheet

3

of

3

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		DeWalt Band Saw diagram, DeWalt Industrial Tool Company Service Operations Bulletin No. 12183, Cat. No. DW 329, published 10/97, 3 pages, Hampstead, Maryland.	
		Makita Portable Band Saw diagram, Model 2106, published 02/89, 2 pages	

Examiner
SignatureDate
Considered

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